



U. S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

APR 19 2005

The Honorable John Hostettler
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Hostettler:

This responds to your letter, dated February 17, 2005, to the President requesting that he direct the Department of Justice ("the Department") and the United States Marshals Service (USMS) not to enforce any federal district court order to remove the Ten Commandments display at the Gibson County Courthouse, pursuant to *Russelburg v. Gibson County*. Your letter was referred to the Department for a reply.

Pursuant to 28 U.S.C. § 566(a), "It is the primary role and mission of the United States Marshals Service to provide for the security and to obey, execute, and enforce all orders of the United States District Courts [and] the United States Courts of Appeals." Accordingly, the USMS would be required by federal law to comply with any such order in the above-noted case. If the Marshals Service is called upon to enforce an order in this case, please be assured it will be handled with all due diligence, safety and respect.

Thank you for your letter. Please do not hesitate to contact the Department of Justice if we can be of assistance regarding any other matter.

Sincerely,

William E. Moschella
Assistant Attorney General